

## PURCHASERS OF SCHOOL LANDS IN KANSAS TERRITORY.

[To accompany Bill S. No. 107.]

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JUNE 25, 1860.

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Mr. KENYON, from the Committee on Private Land Claims, made the following

### REPORT.

*The Committee on Private Land Claims, to whom was referred Senate bill No. 107, entitled "An act to confirm the titles of certain purchasers of school lands in Kansas Territory," have carefully considered the same, and unanimously report as follows:*

By the act of May 30, 1854, organizing the Territory of Kansas, sections Nos. 16 and 36 in each township were reserved "for the purpose of being applied to the use of schools in said Territory," that is, were reserved from pre-emption and settlement.

Immediately after the passage of this act, and before the lands were surveyed, great numbers of people went into Kansas Territory and settled. After the lands were surveyed, some of these settlers were found to be on school sections. In the winter of 1857 the legislature of Kansas Territory passed an act authorizing the governor thereof to issue patents to all persons who had settled upon sections 16 and 36 before surveys, and had continued occupying and improving the same, whenever such settlers should pay into the treasury of the county in which the land claimed by them was situated \$2 50 per acre for the quarter section of land thus settled upon. In accordance with the provisions of this act, a few persons paid into the several county treasuries the amount prescribed by the legislature, and received patents therefor from the governor. Subsequently, viz: on the 3d day of March, 1857, Congress passed a joint resolution making provision for the relief of settlers upon sections 16 and 36, and permitting those who had thus settled before survey to enter them as other lands were entered, and in lieu of all sections thus taken others were to be selected by the Territory. The settlers now asking the passage of this law could not avail themselves of the benefit of the joint resolution just referred to without loss, as they had already paid for their lands to the county treasury. Had they not thus paid, the county,

instead of getting \$400 for each quarter section, would now be compelled to take in lieu thereof another quarter section in some remote part of the Territory, and lose the use of the money since 1857; and had the settler only waited the passage of the joint resolution, he could have paid for the land with a bounty land warrant costing seventy-five cents per acre, instead of paying \$2 50 per acre in gold. As some question as to the right of the territorial legislature to dispose of these sections has arisen, and also whether or not the title of said sections is not still in the United States, the sole and only object of the bill reported is to merely quitclaim all right or title of the United States thereto.

This, the committee think, ought to be done; the Senate bill is therefore herewith reported, and its passage recommended.